

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. 08-427</b>
<b>v.</b>	<b>:</b>	<b>DATE FILED: July 30, 2008</b>
<b>HIEN NGOC BUI</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>DUNG BUI,</b>		<b>21 U.S.C. § 846 (conspiracy to</b>
<b>    a/k/a “Danny Bui,”</b>	<b>:</b>	<b>    manufacture a controlled substance -</b>
<b>DUNG VAN NGUYEN</b>		<b>    1 count)</b>
<b>XUAN VIET TRAN</b>	<b>:</b>	<b>21 U.S.C. § 841(a)(1) (manufacturing a</b>
<b>SAU NIM</b>		<b>    controlled substance - 2 counts)</b>
<b>XUAN THI LE</b>	<b>:</b>	<b>21 U.S.C. § 856(a)(1) (maintaining drug-</b>
<b>THAI VAN BUI</b>		<b>    involved premises - 3 counts)</b>
<b>TUYEN QUANG PHAM</b>	<b>:</b>	<b>21 U.S.C. § 860(a) (violation of the</b>
<b>HOI THANH NGUYEN</b>		<b>    Controlled Substances Act within</b>
<b>NGO NGUYEN</b>	<b>:</b>	<b>    1,000 feet of a protected area - 2 counts)</b>
<b>THI ME TO</b>		<b>18 U.S.C. § 2 (aiding and abetting)</b>
<b>NHAN NGUYEN</b>	<b>:</b>	<b>Notice of forfeiture</b>

**SUPERSEDING INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1.       From in or about April 2007, to on or about June 30, 2008, in Berks County, in the Eastern District of Pennsylvania, and elsewhere, defendants

**HIEN NGOC BUI,  
DUNG BUI, a/k/a “Danny Bui,”  
DUNG VAN NGUYEN,  
XUAN VIET TRAN,  
SAU NIM,  
XUAN THI LE,  
THAI VAN BUI,  
TUYEN QUANG PHAM,  
HOI THANH NGUYEN,  
NGO NGUYEN,  
THI ME TO, and  
NHAN NGUYEN**

conspired and agreed, together and with other persons known and unknown to the grand jury, to knowingly and intentionally manufacture more than 1,000 marijuana plants, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(A)(vii).

### **MANNER AND MEANS**

It was part of the conspiracy that:

1. Defendant XUAN VIET TRAN purchased the real property located at 624 Cody Drive, Reading, Berks County, Pennsylvania, in April 2007.
2. Defendants DUNG BUI and TUYEN QUANG PHAM purchased the real property located at 1307 Lorraine Road, Berks County, Pennsylvania, in August 2007.
3. Defendant DUNG VAN NGUYEN purchased the real property located at 280 Pathfinder Drive, Birdsboro, Berks County, Pennsylvania, in September 2007.
4. Defendants SAU NIM and XUAN THI LE purchased the real property located at 3350 Craftsbury Court, Reading, Berks County, Pennsylvania, in November 2007.
5. The residential properties located at 280 Pathfinder Drive, 1307 Lorraine Road, 624 Cody Drive, and 3350 Craftsbury Court, Berks County, Pennsylvania, were modified and equipped for use as indoor marijuana grow houses, including: installing ventilation systems and high-energy lighting systems; modifying the electrical service to allow for excessive use of electricity to operate the marijuana cultivation equipment without detection by the service provider or law enforcement; storing soil, water, chemicals, and equipment for use in the cultivation of marijuana plants; and modifying the properties to conceal the operation of the marijuana cultivation.

6. Defendants HIEN NGOC BUI, DUNG BUI, THAI VAN BUI and TUYEN QUANG PHAM operated and maintained an indoor marijuana grow house at 1307 Lorraine Road, Berks County, Pennsylvania.

7. Defendants HIEN NGOC BUI, DUNG BUI, THAI VAN BUI and TUYEN QUANG PHAM cultivated more than 1,000 marijuana plants at 1307 Lorraine Road, Berks County, Pennsylvania.

8. Defendants DUNG VAN NGUYEN, XUAN VIET TRAN, HOI THANH NGUYEN, NGO NGUYEN, THI ME TO, and NHAN NGUYEN, operated and maintained indoor marijuana grow houses at 624 Cody Drive and 280 Pathfinder Drive, Berks County, Pennsylvania.

9. Defendants DUNG VAN NGUYEN, XUAN VIET TRAN, HOI THANH NGUYEN, NGO NGUYEN, THI ME TO, and NHAN NGUYEN, cultivated more than 1,000 marijuana plants at 624 Cody Drive and 280 Pathfinder Drive, Berks County, Pennsylvania.

10. Defendants SAU NIM, XUAN THI LE, and NGO NGUYEN operated and maintained an indoor marijuana grow house at 3350 Craftsbury Court, Berks County, Pennsylvania.

11. Defendant HIEN NGOC BUI used the property at 12 Cheltenham Drive, Wyomissing, Pennsylvania, to, among other things, dispose of waste from the marijuana manufacturing operation.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 25, 2008, in Berks County, in the Eastern District of  
Pennsylvania, defendants

**HIEN NGOC BUI,  
DUNG BUI, a/k/a “Danny Bui,”  
THAI VAN BUI, and  
TUYEN QUANG PHAM**

knowingly and intentionally manufactured, and aided and abetted the manufacturing of, more  
than 100 marijuana plants, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and  
841(b)(1)(B)(vii), and Title 18, United States Code, Section 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES:**

From in or about August 2007, to on or about June 25, 2008, in Berks County, in the Eastern District of Pennsylvania, defendants

**HIEN NGOC BUI,  
DUNG BUI, a/k/a “Danny Bui,”  
THAI VAN BUI, and  
TUYEN QUANG PHAM**

knowingly and intentionally opened, used and maintained a place, that is, the real property and structure located at 1307 Lorraine Road, Berks County, Pennsylvania, permanently and temporarily, for the purpose of manufacturing and distributing marijuana plants, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 856(a)(1).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES:**

From in or about August 2007, to on or about June 25, 2008, in Berks County, in the Eastern District of Pennsylvania, defendants

**HIEN NGOC BUI,  
DUNG BUI, a/k/a “Danny Bui,”  
THAI VAN BUI, and  
TUYEN QUANG PHAM**

knowingly and intentionally manufactured, and aided and abetted the manufacturing of, marijuana plants, a Schedule I controlled substance, and knowingly and intentionally opened, used and maintained a place, that is, the real property and structure located at 1307 Lorraine Road, Berks County, Pennsylvania, permanently and temporarily, for the purpose of manufacturing and distributing marijuana plants, a Schedule I controlled substance, within 1,000 feet of the real property comprising Hampden Park, Reading, Pennsylvania, an athletic field owned and operated by the Reading School District, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(vii), and 856(a)(1).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 30, 2008, in Berks County, in the Eastern District of  
Pennsylvania, defendants

**DUNG VAN NGUYEN,  
XUAN VIET TRAN,  
HOI THANH NGUYEN,  
THI ME TO, and  
NHAN NGUYEN**

knowingly and intentionally manufactured, and aided and abetted the manufacturing of, more  
than 1,000 marijuana plants, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and  
841(b)(1)(A)(vii), and Title 18, United States Code, Section 2.

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES:**

From in or about April 2007, to on or about June 30, 2008, in Berks County, in the Eastern District of Pennsylvania, defendants

**DUNG VAN NGUYEN,  
XUAN VIET TRAN,  
HOI THANH NGUYEN,  
THI ME TO, and  
NHAN NGUYEN**

knowingly and intentionally opened, used and maintained a place, that is, the real property and structure located at 624 Cody Drive, Reading, Berks County, Pennsylvania, permanently and temporarily, for the purpose of manufacturing and distributing marijuana plants, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 856(a)(1).

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES:**

From in or about September 2007, to on or about June 30, 2008, in Berks County,  
in the Eastern District of Pennsylvania, defendants

**DUNG VAN NGUYEN,  
XUAN VIET TRAN,  
HOI THANH NGUYEN,  
THI ME TO, and  
NHAN NGUYEN**

knowingly and intentionally opened, used and maintained a place, that is, the real property and structure located at 280 Pathfinder Drive, Reading, Berks County, Pennsylvania, permanently and temporarily, for the purpose of manufacturing and distributing marijuana plants, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 856(a)(1).

**COUNT EIGHT**

**THE GRAND JURY FURTHER CHARGES:**

From in or about November 2007, to on or about June 30, 2008, in Berks County,  
in the Eastern District of Pennsylvania, defendants

**SAU NIM,  
XUAN THI LE, and  
NGO NGUYEN**

knowingly and intentionally opened, used and maintained a place, that is, the real property and structure located at 3350 Craftsbury Court, Reading, Berks County, Pennsylvania, permanently and temporarily, for the purpose of manufacturing and distributing marijuana plants, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 856(a)(1).

**COUNT NINE**

**THE GRAND JURY FURTHER CHARGES:**

From in or about November 2007, to on or about June 30, 2008, in Berks County, in the Eastern District of Pennsylvania, defendants

**SAU NIM  
XUAN THI LE, and  
NGO NGUYEN**

knowingly and intentionally opened, used and maintained a place, that is, the real property and structure located at 3350 Craftsbury Court, Reading, Berks County, Pennsylvania, permanently and temporarily, for the purpose of manufacturing and distributing marijuana plants, a Schedule I controlled substance, within 1,000 feet of the real property comprising the Riverview Christian School, Reading, Pennsylvania, a private elementary school owned and operated by the Calvary Church of the Nazarene, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(vii), and 856(a)(1).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

## **NOTICE OF FORFEITURE**

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1), 846 and 856(a)(1), set forth in this indictment, defendants

**HIEN NGOC BUI,  
DUNG BUI, a/k/a “Danny Bui,”  
DUNG VAN NGUYEN,  
XUAN VIET TRAN,  
SAU NIM,  
XUAN THI LE,  
THAI VAN BUI,  
TUYEN QUANG PHAM,  
HOI THANH NGUYEN,  
NGO NGUYEN,  
THI ME TO, and  
NHAN NGUYEN**

shall forfeit to the United States of America:

- (a) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of any such violation; and
- (b) any property used, or intended to be used, in any manner or part, to commit, or facilitate the commission of, any such violation;

including but not limited to the real properties located at:

- (i) 624 Cody Drive, Reading, Berks County, Pennsylvania;
- (ii) 280 Pathfinder Drive, Birdsboro, Berks County, Pennsylvania;
- (iii) 1307 Lorraine Road, Reading, Berks County, Pennsylvania;
- (iv) 3350 Craftsbury Court, Reading, Berks County, Pennsylvania; and
- (iv) 12 Cheltenham Drive, Wyomissing, Berks County, Pennsylvania.

2. If any of the property subject to forfeiture, as a result of any act or

omission of the defendants,

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been co-mingled with other property which cannot be divided without difficulty;

then it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code Section 853.

**A TRUE BILL:**

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**FOREPERSON**

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**LAURIE MAGID**  
**ACTING UNITED STATES ATTORNEY**